United Nations ST/IC/2013/15

Secretariat

13 May 2013

Information circular*

To: Members of the staff at Headquarters

From: The Assistant Secretary-General for Human Resources Management

Subject: **Eligibility requirements for derivative G status for secondary dependants of United Nations staff**

1. The purpose of the present circular is to provide additional guidance on the United States eligibility requirements for derivative G visa status for relatives of a staff member other than a spouse, unmarried dependent children under the age of 21 and children for whom a staff member receives an education grant.

2. Paragraph 5 of information circular ST/IC/2001/27 on visa status in the United States of America describes the conditions under which relatives of a staff member other than a spouse, unmarried dependent children under the age of 21 and children for whom a staff member receives an education grant may be eligible for a G-4 visa when they demonstrate close ties and a continued dependency on the staff member. The Secretary-General received a diplomatic note from the United States Mission to the United Nations dated 26 April 2013 that provides further guidance on the United States eligibility requirements for derivative G visa status for secondary dependants of United Nations staff (see annex).

3. Secondary dependants of staff members renewing their G-4 visa will need to demonstrate that they meet the United States eligibility requirements as described in the diplomatic note. Applications for a G-4 visa for secondary dependants of staff members are submitted to the United Nations Visa Committee, and subsequently to the Assistant Secretary-General for Human Resources Management for approval, prior to submission to the United States authorities. If the applicant is found ineligible under the applicable regulations, he or she may seek a change of status to a B-2 visa or apply for a B-2 visa outside the United States.

4. Staff members are advised to familiarize themselves and comply with the details set out in the annex to the present circular.

* The present circular will be in effect until further notice.

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Annex

Diplomatic note dated 26 April 2013 from the United States Mission to the United Nations addressed to the Secretariat

The United States Mission to the United Nations presents its compliments to the United Nations Secretariat and has the honour to provide further guidance on United States eligibility requirements for derivative G status for secondary dependants of United Nations staff.

The United States Code of Federal Regulations (CFR) and the United States Department of State regulations determine the eligibility of dependants of G visa holders to obtain derivative G visa status. There are two categories of dependants who qualify for derivative G status as members of the principal alien's immediate family.

The first category is restricted to the spouse and unmarried children (regardless of age) of a principal alien, provided they are "not members of some other household" and "will reside regularly in the household of the principal alien". The second category comprises other close relatives or dependants of the principal alien or spouse, including parents, who "will reside regularly in the household of the principal alien", are "not a member of some other household", and are "recognized as an immediate family member of the principal alien by the sending Government or international organization, as demonstrated by eligibility for rights and benefits, such as the issuance of a diplomatic or official passport or other similar documentation, or travel or other allowances", which would be granted to the spouse and children of the principal alien (22 CFR 41.21 (a)(3)(i)-(v)).

Secondary dependants renewing their G-4 visas need to demonstrate their eligibility in accordance with the provisions listed above, as required by 22 CFR 41.21 (a)(3)(i)-(v). If the applicant is found ineligible under 22 CFR 41.21 (a)(3)(i)-(v), the applicant may seek a change of status to a B-2 visa or apply for the B-2 visa outside the United States.

Some of the ways in which an applicant for secondary dependant status might demonstrate recognition through "other allowances" are listed below:

(a) Enrolment as a dependant in medical benefits plans that is sponsored by the embassy/organization;

(b) Documentation that substantiates that the staff member's monthly insurance premium includes deductions for the dependent parent;

(c) Income of the principal alien reflects an allowance for a dependent parent;

(d) Travel benefits provided by the sponsoring embassy/organization are used exclusively for travel of the dependent parent;

(e) Memberships and associations that are available only to employees and their family members.